

1. Question**Which person should report the activity and which report should they use?**

Answer

	Activities in the Courtroom	Activities Outside the Courtroom
On-the Record Activities	Courtroom staff should report these activities on the Courtroom Report.	Courtroom staff should report these activities on the Courtroom Report.
Off-the-Record Activities	Courtroom staff should report these activities on the Courtroom Report.	The judicial officer or quasi-judicial officer should report these activities on the Non-Bench Report.

2. Question**The judge and law clerk spent 15 minutes talking about a case. Do they both have to report their time?**

Answer

Yes. The time that any judicial officer or quasi-judicial officer spends on case-related activities should be reported. This may mean that two judicial officers report one meeting.

3. Question**I spent 15 minutes with the court administrator discussing scheduling for the upcoming week. Do I report that time?**

Answer

No. Scheduling should not be reported unless it is done from the bench with the litigants present.

4. Question**Magistrates are not always on the bench or in a courtroom when they process cases. How should this time be reported?**

Answer

Magistrates should report the activities they perform either off-the-bench or without a courtroom staff person using the Non-Bench Report. The courtroom staff person and the magistrate should not report the same activities.

5. Question**If multiple cases are handled simultaneously, can I report the time on one line?**

Answer

If separate cases with the same case type are handled simultaneously, the time can be reported on one line. If separate cases with different case types are handled simultaneously, the time for each case type should be reported on separate lines.

6. Question

The multiple cases that I handled simultaneously were for the same defendant and for the same incident. Shouldn't I just report all of the cases against him/her on the same line?

Answer

No. The time spent on separate case types needs to be reported separately. If more than one case type is reported on the same line, SCAO will assume the time was spent equally on each case type.

7. Question

Am I required to group events for the same case type code on one line?

Answer

No. You are not required to report events for the same case type on one line; however, if all factors are identical, you have the option to group these activities on one line.

8. Question

We had a visiting judge assist with our cases. We had a judge from another court assigned to one or more of our cases. Does the elected judge of my court report their time?

Answer

The visiting and assigned judges should report the time they spend on cases for any participating court. The elected judges in your court should not keep track of another judge's time.

9. Question

I handled cases for other courts, some of which are participating in the study? How do I report this time?

Answer

If you handle a case for another participating court, report the time on your form using the appropriate court code and county name. If you handle a case for a non-participating court, do not report the time at all.

10. Question

The mental commitment review hearings held in the mental hospital are handled by another judge. Does this time need to be reported?

Answer

Yes. The judges handling the mental commitment review hearings in hospitals in September and October need to complete and submit the appropriate report with the time they spent handling cases for any participating court. They should receive a packet of forms and instructions from SCAO.

11. Question

A case from a participating court was transferred to a non-participating court. Does the non-participating court need to report their time on the case?

Answer

No. If the case was transferred to a non-participating court, the court does not need to report their time. If the case was transferred to a participating court, the court receiving the case should report their time as they would with any other case.

12. Question

What about Court of Claims cases? Many of these are joined with cases from other courts. How does the time get reported?

Answer

- First, the Court of Claims judges, including any visiting or assigned judges, should report any time they spend on any Court of Claims case using the Court of Claims case type code.
- Second, if the court that receives the case is a participating court, they should report their time under the case type code of the non-Court-of-Claims case. For example, a victim of a car accident in Wayne County files a personal injury (NI) case against the reckless driver and files a claim against the State for a highway defect (MD). These cases are joined together and handled by a 3rd Circuit judge. The 3rd Circuit judge should report their time on these joined cases under the personal injury (NI) case type code.
- Third, if the court that receives the case is not a participating court, they should not report their time. For example, a victim of a car accident in Grand Traverse files a personal injury (NI) case against a reckless driver and files a claim against the State for a highway defect (MD). These cases are joined together and handled by a 13th Circuit judge. The 13th Circuit judge should not report their time on these joined cases.

13. Question

For certain warrants, we do not yet know what the case type code will be. For certain activities, like search warrants, investigative subpoenas, and orders for wiretapping, there is no case. Which case type code should I report?

Answer

Put a dash in the case type code box and write “SW” or “Search Warrant” in the event type box. If you write NA in the case type code box to indicate “Not Available” we will assume you are reporting a Neglect and Abuse Case.

14. Question

In district court, which case type code do I use when the felony charge(s) are reduced to misdemeanor charges?

Answer

Use the original case type code based on the original complaint.

15. Question

I handled a bond review on a violation of a personal protection proceeding. Which case type code do I use?

Answer

If you are a district judge or magistrate, report it using the original case type code on the order. If you are a circuit judge, use the case type code on the order, unless it is out-of-county (VP).

16. Question

I am not sure which event type code is more appropriate for the activity I performed. How do I choose?

Answer

Choose the event code that best describes the activity, report more than one event code, or use the comment box on the back of the report to describe the event.

17. Question

After I calculate the time spent on a particular event, where do I put the time?

Answer

You do not need to calculate the time spent. Just report the start time and end time in hours and minutes. Use AM and PM to designate the time of day.

18. Question

Am I required to put the time in chronological order?

Answer

While chronological order is preferred, it is not required. It is more important to accurately and legibly report the time spent.

19. Question

During trial there are several interruptions due to conferences with the attorneys, off-the-record conversations, and time swearing in witnesses. How does this time get reported?

Answer

This time should be reported as part of the trial. The trial started at 8:00 and ended at 11:30, for example. Lunch breaks, however, should not be reported, therefore, you should start a new line when you return from lunch.

20. Question

Which case type code and event code do I use to report waiting time?

Answer

If you are doing no other task, you should report time spent waiting for an event to occur. Use the case type code applicable for the case you are waiting for. Use the event code applicable for the event you are waiting for.

21. Question

How do I report the time when I am waiting for the jury?

Answer

If the judge is doing no other task, they should report time when the jury is deliberating on the Non-Bench Report. The courtroom staff should not report the jury deliberation time.

22. Question

Should I report travel time?

Answer

No. Do not report travel time, unless the travel occurred during a trial, such as taking the jury to a crime scene.

23. Question

I am on-call for the entire weekend. Do I report this time?

Answer

No. However, when the judicial officer is called, the time spent on the case-related matter should be reported.

24. Question

I performed two weddings this weekend. Do I report this time?

Answer

No. Ceremonial time should not be reported.

25. Question

I took a personal leave day during the study and I spent part of another day at the doctor's office. Do I report this time?

Answer

No. The weighted caseload formula is designed to account for the average time a judge is available during the year. Holidays, illness, weekends, and other time out of the office are not part of the case weights.

26. Question

My case-related time is less than 40 hours per week, including both non-bench time and courtroom time. Should I report all the administrative, community, and other events that I perform throughout the week to ensure my total hours are at least 40 hours?

Answer

No. You should not report administrative, community, or other events that are not directly related to processing cases for the court. Your hours do not need to total 8 hours per day or 40 hours per week.

27. Question

I am planning to take two weeks off during the study. Doesn't that ruin the study?

Answer

No. Although you will be reporting less time, you are also reporting fewer dispositions. Because we are analyzing both time and dispositions, a two week hiatus should not affect our ability to update the case weights.

28. Question

Our court diverts cases or allows teen courts to handle certain cases. How do I report the time spent on these cases?

Answer

If the case was not filed in the court, do not report your time. If the case was filed in the court, report your time using the appropriate event codes.

29. Question

If I am both a magistrate and a research attorney, which box do I check for my title?

Answer

Check the box that best describes your role. If you split your time 50:50, feel free to check both boxes. Judges, however, should only check one box.

30. Question

How important is it for the dispositions to be entered into our case management system during September and October?

Answer

Complete and accurate dispositional data are key to this study, so entering the dispositions that occur in September and October into your system is important.

31. Question

The majority of petitioners and respondents in probate court are pro se, that is, they do not have representation by an attorney. Should I check the pro se box for these cases?

Answer

Yes. If the court is dealing with an unrepresented person, the pro se box should be checked. It is OK to check pro se for as many cases as necessary.

32. Question

Before going home, I spent an hour reviewing pre-sentence reports and other files in preparation for tomorrow's docket. Can I report this time?

Answer

Yes. This is case-related judicial time and should be reported.

33. Question

It would be useful to fill-in your form on my computer, print it, and mail it to SCAO. Can I get the forms in an electronic format that allows me to complete the form on my computer?

Answer

Eric Cyman of the 60th District Court in Muskegon developed a MS Excel version of the reporting forms. These were distributed, with instructions, to the court contacts through e-mail. If a court chooses to use these forms, they must print and mail the completed forms.

34. Question

I wasn't able to attend one of the training sessions. What can I do to prepare for the study?

Answer

Obtain the notebook and forms from your court contact person and watch the training webcast that is posted on MJJ's website. Begin filling out the forms on Friday, September 1.

35. Question

Who do I call if I have a question about completing a report?

Answer

Call your court contact person first. That person will call SCAO if they are unable to answer your question.

36. Question

Our court tracks truancy cases with a TY case type code. Should we record the time spent on any case not listed in the manual or on the case type code list?

Answer

No. You should not record time spent on any case type not included in the manual or on the case type code list.

37. Question

Should juvenile probation officers record the time they spend preparing pre-sentence reports?

Answer

No.

38. Question

What should and shouldn't be reported?

Answer

If the work is normally done by a judge or is required to be done by a judge, the activity should be reported. If the work is substantive to the progress of the case, it should be reported. Time spent thinking about a specific case should be reported.

39. Question

Our stenographer will not be able to complete these forms while performing his/her normal duties in the courtroom. Can the court clerk complete the courtroom form?

Answer

Yes.

40. Question

A research attorney attends a hearing in a courtroom for later discussion with the judge. Should the research attorney report their time in the courtroom?

Answer

Yes. The research attorney should report the time observing and the subsequent discussion on the Non-Bench report.

41. Question

The district court clerk prepares garnishment orders on behalf of the court. Should this time be reported?

Answer

Yes. Time spent developing garnishment orders should be reported.

42. Question

For default judgments under a certain dollar amount, the court clerk reviews the file and prepares a default judgment. Should this time be reported?

Answer

Yes. The clerk should report the time spent reviewing the file and preparing the default judgment.

43. Question

The judge spent 10 minutes assigning an attorney to an indigent party. Should this time be reported?

Answer

Yes.

44. Question

A court staff person fills-in a standard form prior to a hearing. Should this be reported?

Answer

No. Unless the person filling in the form is deciding which boxes to check, the work is secretarial/clerical and should not be reported. The secretarial/clerical work is important and necessary for the court to function, but it is not related to the purpose of this study, which is to measure judicial time by case type.

45. Question

For the purpose of this study, does it matter when the court disposes of a divorce case?

Answer

Yes. The disposition in a divorce should be entered upon decision, not upon entering of a judgment.

46. Question

I spent ½ hour preparing a scheduling order during a pretrial hearing. Should I report this time?

Answer

Yes. Preparing scheduling orders should be reported. Time spent actually scheduling hearings, on the other hand, should not be reported.

47. Question

Do we have to use blue paper for the Non-Bench report and green paper for the Courtroom report?

Answer

No. We would prefer these colors, but it is not critical. If you have a reason to use other colors, feel free to do so. White paper is OK, too.

48. Question

Our non-attorney magistrate conducts informal hearings (hearings without a judge). Should these be reported?

Answer

Yes.

49. Question

What event code should we use for informal hearings? There are elements of those hearings that would fit in either the trial event type definition or the disposition event type definition.

Answer

If the event fits both trial and disposition, then use both 2 for Trial and 3 for Disposition.

50. Question

When should we mail the completed forms to SCAO?

Answer

Mail the completed forms weekly to SCAO. Friday or Monday are both OK.

51. Question

What event numbers should we use for probation violation hearings?

Answer

You can use 1 for pretrial and 4 for postjudgment: "1, 4."

52. Question

Most probation violation hearings do not involve an attorney. Should I check the pro se box when the defendant is without an attorney?

Answer

Yes.

53. Question

Should the deputy registers participate in this study? Which title should they check?

Answer

Deputy register should participate in this study to the same extent that a probate register would and they should both check the probate register box.

54. Question

Should judicial secretaries participate in this study? How should they report their title?

Answer

Judicial secretaries should report any time spent conducting legal research on a specific case or performing other case-related activities normally handled by a judge which are substantive to the processing of the case. They can write their title with their name on the Non-Bench report.